

IN RE: PETITION FOR VARIANCE
SW/S Gwynn Oak Avenue, 160' NE of
Windsor Mill Road
(2107 - 2109 Gwynn Oak Avenue)
1st Election District
2nd Council District

Joseph W. Schmitz, Jr.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-354-A
*

* * * * *
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Joseph W. Schmitz, Jr. The Petitioner seeks relief from Section 232.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front property line setback of 0 feet in lieu of the required 10 feet, and a front building line setback to the centerline of the street of 26 feet in lieu of the required 40 feet, as modified by Section 303.2 of the B.C.Z.R. In addition, the Petitioner requests relief from Section 409.6 of the B.C.Z.R. to permit 0 parking spaces in lieu of the required 34 for the proposed uses as a beauty salon/barber shop and/or off-site carpet cleaning and maintenance company and retail sales; and, from Section 450.4(5)(A)(C) of the B.C.Z.R. to permit either wall-mounted projecting canopy signs or awnings for a combined total of 500 sq.ft., in lieu of the maximum allowed sign of 150 sq.ft. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 4.

Appearing at the requisite public hearing in support of the request were Joseph W. Schmitz, Jr., property owner, Herbert Talmud, the Registered Land Surveyor who prepared the site plan for this property, and Michael Tanczyn, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the south side of Gwynn Oak Avenue, just north of Windsor Mill Road in the heart of the Woodlawn Village business community, which has been developed and used

ORDER RECEIVED FOR FILING

Date

By

commercially for many years. The subject property contains a gross area of 0.144 acres, more or less, zoned B.L.-A.S., and is improved with a two-story frame structure, to which is attached a two-story block garage. Mr. Schmitz, who is an electrician/plumber by trade, has owned and used the building for many years as his office. Although the building is roughly 80 to 100 years of age, the garage, which has also apparently existed for some time, is not as old as the building.

The Petitioner proposes improvements to the front portion of the building. Specifically, additions to the first and second floors of the frame structure are proposed to expand the building towards Gwynn Oak Avenue. The lower level will be extended out approximately 7.4 feet, and the second floor, approximately 13.6 feet. Upon completion of these improvements, the entire front facing wall of the structure will be the same distance from the road. Additionally, the building will match those located on either side of the property, at 2105 and 2109½ Gwynn Oak Avenue. In fact, the Petitioner also owns the building at 2109½ Gwynn Oak Avenue. Photographs of that building were submitted at the hearing and show that same is utilized as a Florist. It is anticipated that the interior of the subject building will also be rehabilitated. No definitive use has been determined at this time; however, Mr. Schmitz is aware that the proposed use must comply with the relevant B.L.-A.S. regulations. It is anticipated that some general retail use, such as a beauty salon or barbershop, will be established on the ground floor. The second floor will most likely be used to support two residential apartments. The garage to the rear will continue to be used for storage purposes.

A series of variances are requested. The first is to allow a 0-foot front property line setback and a 26-foot front building line setback to the centerline of Gwynn Oak Avenue. It need be emphasized that expansion of the building as proposed will result in a uniform appearance of the structures along this stretch of Gwynn Oak Avenue. Partly as a result of same, the Office of Planning supports the proposal. Their Zoning Advisory Committee (ZAC) comment indicates, in part, that the subject property is located within the Woodlawn Village Commercial Revitalization District and that the improvements to the site will provide continuity in the streetscape for this particular area of the District. The Office of Planning also opines that the proposal is a positive

improvement and strengthens the traditional "main street" character of the neighborhood business area.

I agree with the comments of the Office of Planning. For all of those reasons, I will grant the requested relief to permit a reduced front yard setback. In my judgment, the age of the structure, the character of this property and the neighborhood, are persuasive factors to a finding that variance relief is warranted.

It is to be noted that the variance requests the modification of the front setback required by Section 303.2 of the B.C.Z.R. That Section requires the property owner to comply with the average setback of adjacent uses. It is debatable whether relief pursuant to that Section is required here in that the proposed addition will indeed extend the building to a consistent depth of adjacent buildings on both sides. Nonetheless, variance relief will be granted to insure that the Petitioner can obtain building permits necessary to complete the proposed additions as described herein.

The second variance is to permit 0 on-site parking spaces in lieu of the required 34 spaces. In this regard, Counsel for the Petitioner indicated that there is parking in the area and photographs were submitted which show parking is available on the public street. Additionally, a large lot to the rear of the property is occupied by the New Rehoboth Baptist Church, and apparently, the Petitioner is allowed to utilize that lot on days that the Church is not being actively used. It is also clear, from a practical standpoint, that parking cannot be provided on the site. The existing building effectively prohibits vehicular access onto the site from Gwynn Oak Avenue. Moreover, the nature of the existing building and adjacent structures is such that access is limited from the rear yard. For all of these reasons, I am persuaded to grant the variance from Section 409.6 of the parking regulations.

The third variance relates to signage. In this regard, Mr. Schmitz' adjacent property at 2109 1/2 Gwynn Oak Avenue features an awning sign advertising the florist business. Photographs of the sign show that same is attractive and appropriate for the community. Though measurements of that sign were not present at the hearing, it appears to be approximately 15 feet wide and 4 feet tall. Also, as an awning, it extends out from the building face approximately 5 feet. A similar

awning sign on the subject property would be appropriate to maintain a consistent appearance in the neighborhood. Variance relief will therefore be granted to allow a similar awning sign on the subject property; however, if Mr. Schmitz and/or his tenant instead determine to place signage on the face of the building, same shall be limited to no larger than 15' wide by 5' in height. Such a flat sign along the façade of the building would likewise be similar in style and size to the adjacent signage, although, in my judgment, another awning sign would be more aesthetically pleasing. Thus, the third variance shall be granted, in part, to allow a similar awning sign, or, in the alternative, a flat sign no greater than 175 sq.ft. in area, or 15' x 5' in dimension. It should be noted that such a resolution appears consistent with the Office of Planning's recommendation regarding signage as well as that offered by William Obrecht, a business owner in the immediate vicinity.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested, as modified above, shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of April, 2002 that the Petition for Variance seeking relief from Section 232.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front property line setback of 0 feet in lieu of the required 10 feet, and a front building line setback to the centerline of the street of 26 feet in lieu of the required 40 feet; and, from Section 409.6 of the B.C.Z.R. to permit 0 parking spaces in lieu of the required 34 spaces for the proposed uses of a beauty salon/barbershop and/or off-site carpet cleaning and maintenance company and retail sales, in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 450.4(5)(A)(C) of the B.C.Z.R. to permit an awning sign substantially similar to the existing sign at 2109 1/2 Gwynn Oak Avenue, or in lieu thereof, a flat sign along the façade of the building, approximately 15' x 5' in area, or 175 sq.ft. total, be and is hereby GRANTED, subject to the following restrictions:

ORDER RECEIVED FOR FILING
Date 4/26/02
By [Signature]

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the ZAC comments submitted by the Office of Planning, dated April 5, 2002, a copy of which is attached hereto and made a part hereof.
- 3) The proposed sign shall be an awning sign, similar in size and coloring to the awning sign on the adjacent property at 2109½ Gwynn Oak Avenue, or, a flat sign along the façade of the building, no greater than 15' x 5' in area (175 sq.ft. total).
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 450.4(5)(A)(C) of the B.C.Z.R. to permit either wall-mounted projecting canopy signs or awnings for a combined total of 500 sq.ft., in lieu of the maximum allowed sign of 150 sq.ft., be and is hereby DENIED.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 4/20/12
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 25, 2002

Michael Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
SW/S Gwynn Oak Avenue, 160' NE of the c/l Windsor Mill Road
(2107 - 2109 Gwynn Oak Avenue)
1st Election District - 2nd Council District
Joseph W. Schmitz, Jr. - Petitioner
Case No. 02-354-A

Dear Mr. Tanczyn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Joseph W. Schmitz, Jr.
214 Linganore Court, Westminster, Md. 21158
Mr. Herbert Malmud, 100 Church Lane, Pikesville, Md. 21208
Office of Planning; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2107 - 2109 Gwynn Oak Ave.

which is presently zoned BL-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See attached.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

This represents infill for an existing commercial building to square off the front of the building to provide an additional multi story space, and technical variances to clean up the existing situation for this longstanding building in a commercially zoned district.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Michael P. Tanczyn, Esq.

Name - Type or Print

Signature

Law Offices of Michael P. Tanczyn

Company

606 Balto. Ave., Ste. 106 410-296-8823

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

Joseph W. Schmitz, Jr.

Name - Type or Print

Signature

Name - Type or Print

Signature

214 Linganore Court 410-298-4143

Address

Telephone No.

Westminster, Maryland 21158

City

State

Zip Code

Representative to be Contacted:

H. Malmud & Associates, Inc.

Name

100 Church Lane

(410) 653-9511

Address

Telephone No.

Baltimore, MD 21208

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 2-25-02

ORDER RECEIVED FOR FILING
Date 4/23/02
By [Signature]
REV 9/15/98

Case No. 02-354A

ATTACHMENT TO PETITION FOR VARIANCE

Property Located at:

2107 – 2109 Gwynn Oak Avenue

Presently Zoned: BL-AS

1. Petitioner seeks a variance from BCZR Section 232.1 to provide zero (0) feet in lieu of the required ten (10) feet from the front property line, and twenty-six (26.0) feet in lieu of the required forty (40) feet from the front building line to the center of the street as modified by BCZR Section 303.2 for a BL Zone.
2. A variance from Section 409.6 to provide zero (0) parking spaces in lieu of the required thirty-four (34) spaces for proposed uses of a beauty/barber shop and/or off-site carpet cleaning and maintenance company and retail sales..
3. For a variance from BCZR 450.4 (5A, C) to provide either wall mounted projecting canopy signs or awnings for a combined total of five hundred (500) square feet in lieu of required maximum of one hundred fifty (150) square feet.

354

H. MALMUD & ASSOCIATES, INC.
100 CHURCH LANE
BALTIMORE, MARYLAND 21208

TELEPHONE 410 653-9511

ZONING DESCRIPTION
2107-2109 GWYNN OAK AVENUE
1ST ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING ON THE SOUTHEAST SIDE OF GWYNN OAK AVENUE, 43 FEET WIDE AT A DISTANCE OF 160 FEET NORTHEASTERLY FROM THE FROM THE CENTERLINE INTERSECTION OF GWYNN OAK AVENUE AND WINDSOR MILL ROAD, THENCE LEAVING THE CENTER OF GWYNN OAK AVENUE AND RUNNING THE FIVE (5) FOLLOWING COURSES AND DISTANCES:

- (1) SOUTH 45 DEGREES 28' 00" EAST 169.42 FEET,
- (2) NORTH 43 DEGREES 30' 00" EAST 40.92 FEET,
- (3) NORTH 46 DEGREES 10' 00" WEST 30.20 FEET,
- (4) SOUTH 43 DEGREES 30' 00" WEST 4.30 FEET AND
- (5) NORTH 45 DEGREES 30' 00" WEST 139.20 FEET TO INTERSECT THE CENTER OF GWYNN OAK ROAD, THENCE BINDING THEREON:
- (6) SOUTH 43 DEGREES 30' 00" WEST 36.25 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.144 OF AN ACRE OF LAND, MORE OR LESS.

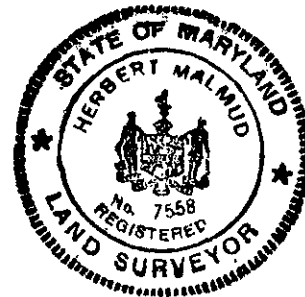
THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE.

HERBERT MALMUD
REGISTERED LAND SURVEYOR
MARYLAND # 7558

FEBRUARY 4, 2002

FILE: Gwynn Oak Ave

354



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

354
No. 11105

DATE 2.25.02 ACCOUNT 001-006-6130

AMOUNT \$ 250.00

RECEIVED
FROM:

J. Schmitz 2107-09 Bryan
OAK Ave.

OR:

(CIC) VAR

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PAYMENT ACTUAL TIME
2/25/2002 2/25/2002 10:59:08

REG NO. 6 CASHIER MICH KAT TISMER

RECEIPT # 009137

DEPT 5 528 ZONING VERIFICATION

CR NO. 011105

Recpt Tot 250.00
250.00 CK .00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-354-A

2107-2109 Gwynn Oak Avenue

SW/S of Gwynn Oak Avenue, 160' NE of centerline of Windsor Mill Road

1st Election District - 2nd Councilmanic District

Legal Owner(s): Joseph W. Schmitz, Jr.

Variance: to provide zero feet in lieu of the required ten feet from the front property line and twenty-six feet in lieu of the required forty feet from the front building line to the center of the street; to provide zero parking spaces in lieu of the required thirty-four spaces for proposed uses of a beauty/barber shop and/or off-site carpet cleaning and maintenance company and retail sales; to provide either wall mounted projecting canopy signs or awnings for a combined total of five hundred square feet in lieu of the required maximum of one hundred fifty square feet.

Hearing: Monday, April 15, 2002 at 11:00 a.m. In Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/298 March 28

C528783

CERTIFICATE OF PUBLICATION

3/28/2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/28/2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-354-A

Petitioner/Developer: _____

JOSEPH W. SCHMITZ, JR.

Date of Hearing/Closing: APRIL 15, 2002

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

2107 - #2109 GWYNN OAK AVE.

The sign(s) were posted on MARCH 29, 2002
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

ZONING NOTICE

CASE # 02-354-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407, COUNTY COURTS BLDG.

PLACE: 401. BOSLEY AVENUE.

MONDAY, APRIL 15, 2002

DATE AND TIME: AT 11:00 A.M.

REQUEST: **VARIANCE** - TO PROVIDE 2240 FT. IN LIEU

OF THE REQUIRED 10 FT. FROM

THE FRONT PROPERTY LINE AND 24 FT. IN LIEU OF THE REQUIRED

40 FT. FROM THE FRONT BUILDING LINE TO THE CENTER OF THE STREET;

TO PROVIDE 2240 PARKING SPACES IN LIEU OF THE REQUIRED

34 SPACES FOR PROPOSED USES OF A BEAUTY/DRESSER SHOP AND /

OR OFF-SITE CARPET, PAINTING AND MAINTENANCE COMPANY AND

RETAIL SALES; TO PROVIDE EITHER WALL MOUNTED PROJECTING

CANOPY SIGNS OR AWNINGS FOR A COMBINED TOTAL OF 500

50 FT. IN LIEU OF THE REQUIRED MAXIMUM OF 150 SQ. FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
IF CANCELLED HEARING CALL 447 3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW.

HANDICAPPED ACCESSIBLE



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 354

Petitioner: Joseph Schmitz JR.

Address or Location: 2107-09 Gwynn Oak Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joseph Schmitz

Address: 214 LINGANORE CT.

WESTMINSTER, Md. 21158

Telephone Number: 410-653-9511

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 28, 2002 Issue – Jeffersonian

Please forward billing to:
Joseph Schmitz Jr.
214 Linganore Court
Westminster MD 21158

410 653-9511

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-354-A
2107-2109 Gwynn Oak Avenue
SW/S of Gwynn Oak Avenue, 160' NE of centerline of Windsor Mill Road
1st Election District – 2nd Councilmanic District
Legal Owner: Joseph W Schmitz Jr

Variance to provide zero feet in lieu of the required ten feet from the front property line and twenty-six feet in lieu of the required forty feet from the front building line to the center of the street; to provide zero parking spaces in lieu of the required thirty-four spaces for proposed uses of a beauty/barber shop and/or off-site carpet cleaning and maintenance company and retail sales; to provide either wall mounted projecting canopy signs or awnings for a combined total of five hundred square feet in lieu of the required maximum of one hundred fifty square feet.

HEARING: Monday, April 15, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDL
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

March 11, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-354-A
2107-2109 Gwynn Oak Avenue
SW/S of Gwynn Oak Avenue, 160' NE of centerline of Windsor Mill Road
1st Election District – 2nd Councilmanic District
Legal Owner: Joseph W Schmitz Jr

Variance to provide zero feet in lieu of the required ten feet from the front property line and twenty-six feet in lieu of the required forty feet from the front building line to the center of the street; to provide zero parking spaces in lieu of the required thirty-four spaces for proposed uses of a beauty/barber shop and/or off-site carpet cleaning and maintenance company and retail sales; to provide either wall mounted projecting canopy signs or awnings for a combined total of five hundred square feet in lieu of the required maximum of one hundred fifty square feet.

HEARING: Monday, April 15, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon GJZ
Director

C: Michael P Tanczyn Esquire, 606 Baltimore Avenue, Suite 106, Towson 21204
Joseph W Schmitz Jr, 214 Linganore Court, Westminster 21158
H. Malmud & Associates Inc, 100 Church Lane, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 30, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 12, 2002

Mr. Michael P Tanczyn Esquire
606 Baltimore Avenue
Suite 106
Towson MD 21204

Dear Mr. Tanczyn:

RE: Case Number: 02-354-A, 2107-2109 Gwynn Oak Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 25, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Mr. Joseph W Schmitz Jr, 214 Linganore Court, Westminster 21158
H. Malmud & Associates Inc, 100 Church Lane, Baltimore 21208
People's Counsel


Come visit the County's Website at www.co.ba.md.us




BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: April 9, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for March 11, 2002
Item Nos. 333, 350, 351, 352, 353,
 354, 355, 356, 358 and 359

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

March 12, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: Michael E. Harris - 344
Frederick L. Matusky - 350
Pamela D. Redfery - 352
Thomas M. Goins - 353
Joseph W. Schmitz, Jr. - 354
Harold C. Green - 356

Location: DISTRIBUTION MEETING OF March 11, 2002

Item No: 344, 350, 352, 353, 354, 356

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS/TGT*

DATE: April 9, 2002

Zoning Advisory Committee Meeting of March 11, 2002

SUBJECT: *(354)* NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:
333, 344, 350-355, 358, 359

Waiting on AG Comments for #356

4/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 5, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

APR 8 2002

SUBJECT: 2107-2109 Gwynn Oak Avenue

INFORMATION:

Item Number: 02-354

Petitioner: Joseph W. Schmitz, Jr.

Zoning: BL-AS

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The subject site is 0.144 acres and is improved by a two story frame building and is located in the Woodlawn Village Commercial Revitalization District. The existing building front facade is set back approximately 7.5 feet from the street, and is located between two (2) buildings that have zero lot setback. This office has determined that the improvement to this site will provide continuity in the streetscape for this section of the Woodlawn Village commercial area. It represents a positive improvement and strengthens the traditional "main street" character of this neighborhood business area.

The Office of Planning supports the petitioner's request contingent upon the following:

1. Proposed signage for the subject site shall be non-illuminate, and should be incorporated as part of the proposed awning.
2. The color of the awnings and the size of the proposed lettering should be coordinated with those of the two adjacent building (dark green with white lettering).

Prepared by: Maletta Cunningham

Section Chief: Jeffrey W. Long
AFK/LL:MAC:



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.8.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

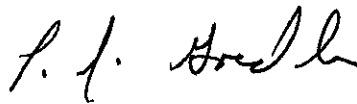
RE: Baltimore County
Item No. 354 JCM

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
2107-2109 Gwynn Oak Avenue, SE/S Gwynn Oak Ave,
160' +/- NE of c/l Windsor Mill Rd
1st Election District, 2nd Councilmanic

Legal Owner: Joseph W. Schmitz, Jr.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-354-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esq., 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

FAX**Date**

4-15-02

Number of pages including cover sheet: 2**To:** Zoning Commissioner

Phone 410-987-4386**Fax Phone** 410-987-3468**CLASSIC CRAFTS FROM AROUND THE WORLD**

Woodson Village • 2137 Gwynn Oak Avenue • Baltimore, MD 21207

Open Monday to Saturday 10 am to 5:30 pm. Friday until 9 am.

4 1 0 - 9 4 4 - 2 4 5 3

From:

William Obrecht

The Calico Cat Inc

2137 Gwynn Oak Ave

Baltimore

MD

21207

Phone +1(410)944-2450**Fax Phone** +1(410)944-2453

My comments on Case # 02-354A
which is scheduled for a hearing at
11:00 am on 4-15-02

CALICO CAT
2137 Gwynn Oak Ave.
Baltimore, Md. 21207

April 13, 2002

Baltimore County Zoning Commissioner
Towson, Md. 21204

Re: 02-354A

Dear Sir,

I support the enlargement of the property at 2107 Gwynn Oak Ave. The improvement will bring the property in line with the adjacent properties at 2105 and 2109 1/2 Gwynn Oak Ave. The brick front with windows will also be similar to the adjacent properties. The improvements will be an asset to the business community.

After discussions, I believe that the square feet of signage should be more consistent with the neighboring business's and should not exceed 200 square feet.

We do have a parking problem in Woodlawn Village. To offset the additional traffic for the larger building, I believe that the employees of the business's in the enlarged building should be prohibited from parking on the street except for loading and unloading. Three spaces in the back of the building would also be helpful.

If you wish any further information, I can be reached at 410-944-2450.

Sincerely,


William Obrecht

2.25.02

NOTE TO FILE:

I DISCUSSED WITH MR.
TANCZYK THE ISSUE OF FRONT
AVERAGING (§303.2). IT APPEARS
THE PROPOSED ADDITION COMPLIES
WITH THE REQ'TS OF §303.2.
I ALSO ~~DISCUSSED~~ SUGGESTED
REMOVING THE "303.2"
REFERENCE FROM THE REQUESTED
RELIEF.

JCM

02-354A

Mon 4/15/02

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

2107-2109 Gwynn Oak Ave

NAME

ADDRESS

HERBERT MALMUD

100 CHURCH LANE

H. MALMUD & ASSN INC

BALTO MD 21208

Michael TANCZYK

STE 106, 606 BALTIMORE AVE Towson 21204

Joseph W. Schmitz

214 LINGANORE CT 21158



RE: PETITION FOR VARIANCE
2107-2109 Gwynn Oak Avenue, SE/S Gwynn Oak Avenue
160' +/- NE of c/1 Windsor Mill Road
1st Election District, 2nd Councilmanic

Legal Owner: Joseph W. Schmitz, Jr.

Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* CASE NO. 02-354-A

Pat
2A

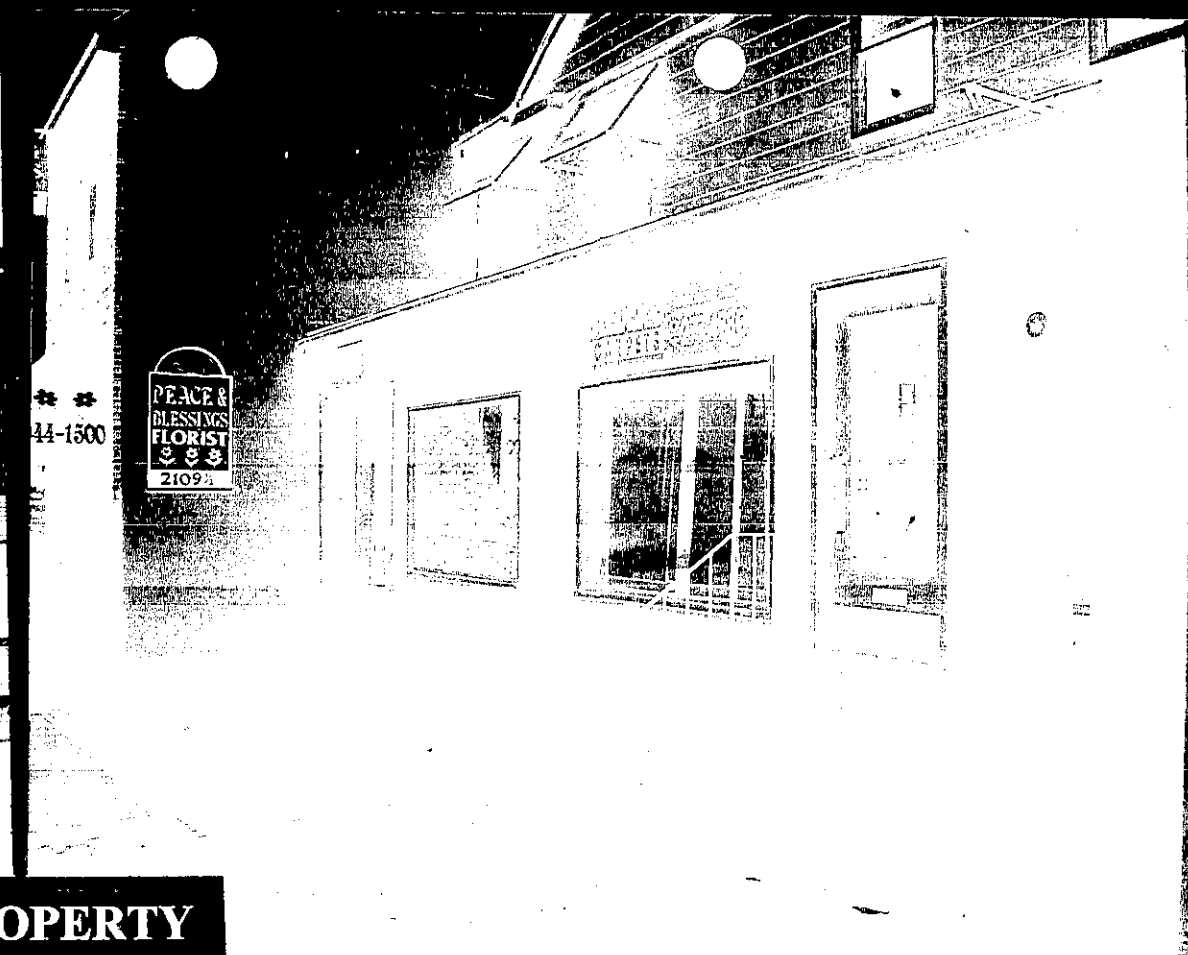
* * * * *

PETITION OF SUPPORT FOR VARIANCE

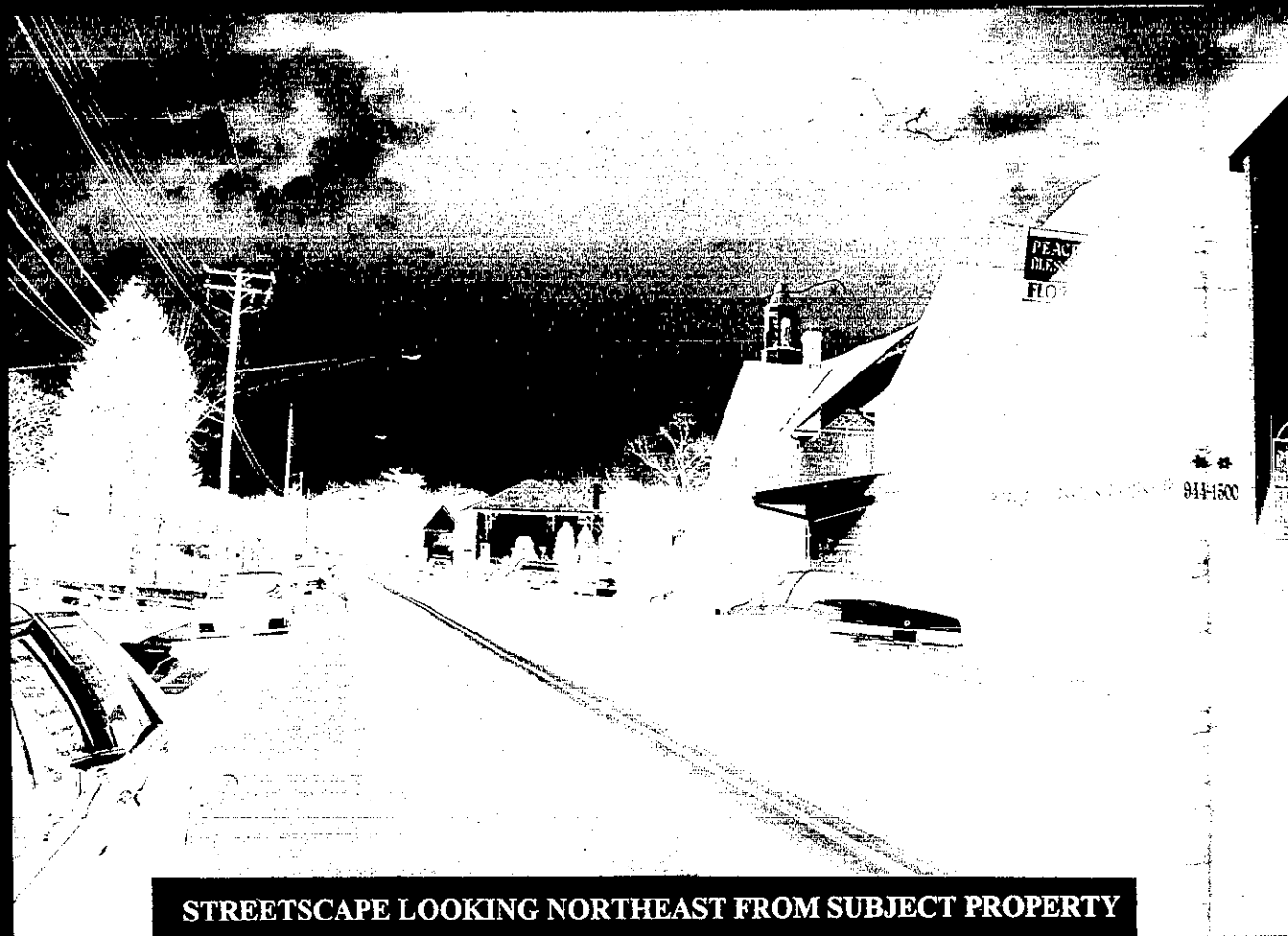
I, the undersigned, do support the variance request of the Petitioner, Joseph W. Schmitz, Jr. requested in the above case for 2107-2109 Gwynn Oak Avenue to construct and build out to the front property line of the building and to provide for a parking variance as requested:

NAME (PRINTED)	SIGNATURE	ADDRESS
Margaret Caperoon	Margaret Caperoon	2116 Gwynn Oak Ave.
Jim Lafferty	Jim Lafferty	3600 Jeffery Rd
Dianne Reynolds	Dianne Reynolds	2021 Gwynn Oak Ave
BERNICE DARGAN	Bernice Dargan	2205 Krone Ct
Warner H. Brown	WARNER H. BROWN	1592 W. Pelwick St.
Vida H. Brown	Vida H. Brown	" "
Dr Bernice Moore Wright	Dr Bernice Moore Wright	21 Summerfield Rd
TOM GREEN	Tom Green	2009 Englewood Ave.
Judy Gilmore	Judy Gilmore	2007 Hillside Dr.
Grace Leeper	Grace Leeper	4343 Mundale Cir
MARY BOTHOFF	Mary Bothoff	2202 Krone Ct. #1207
MARY LAFFERTY	Mary Lafferty	3100 Jeffery Rd. 21244
NORMA RUDDICK	Norma Ruddick	3137 Lykensville Rd. 21157
Rolf Klemm	Rolf Klemm	102 Hopkins Rd 21212
MARY BIEDENHAPP	Mary Biedenbapp	4 McIntosh Ct Apt D
Jean K. Parks	JEAN K. PARKS	5402 Gwynndale Ave

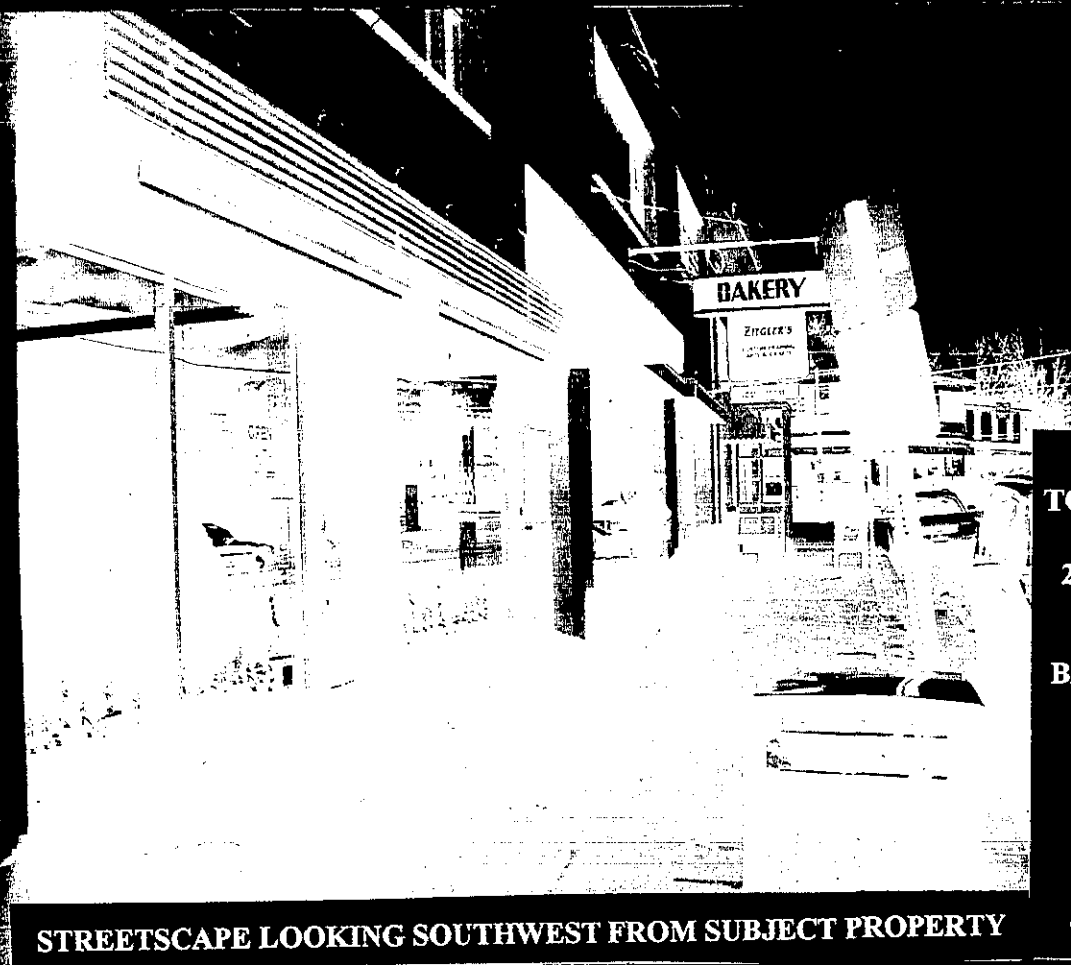
Pat Ex 2A
2C



SUBJECT PROPERTY



STREETSCAPE LOOKING NORTHEAST FROM SUBJECT PROPERTY



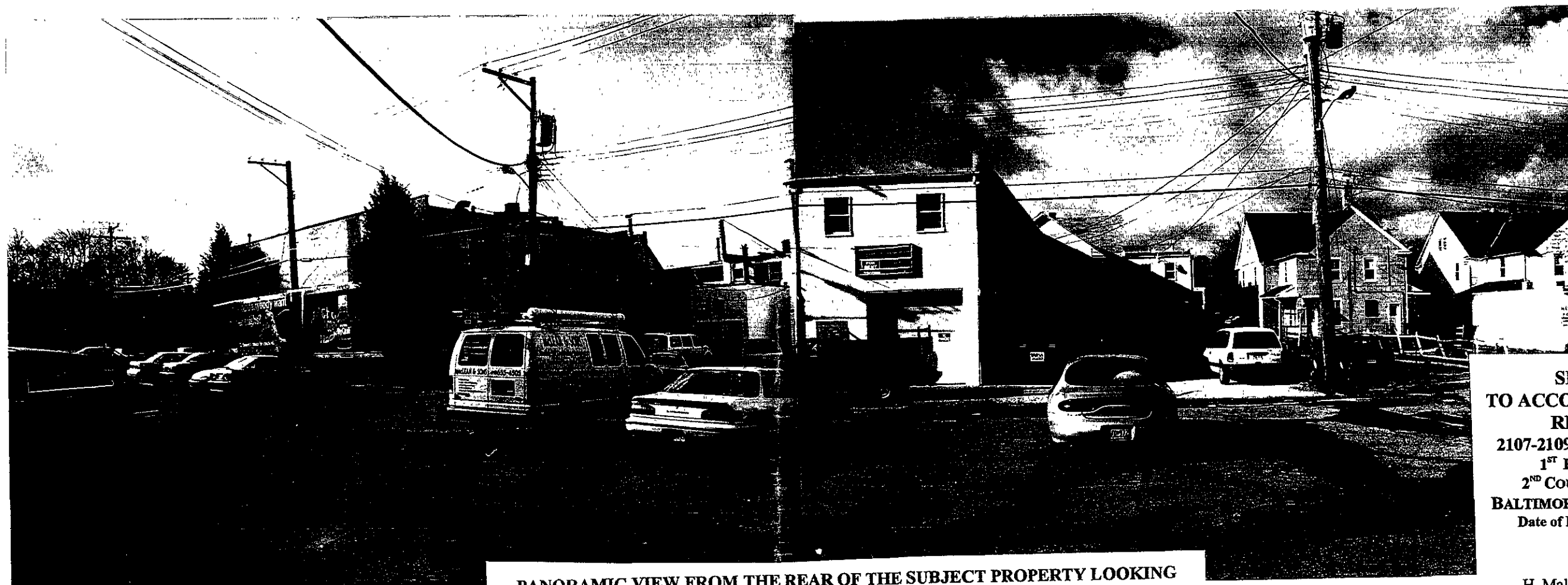
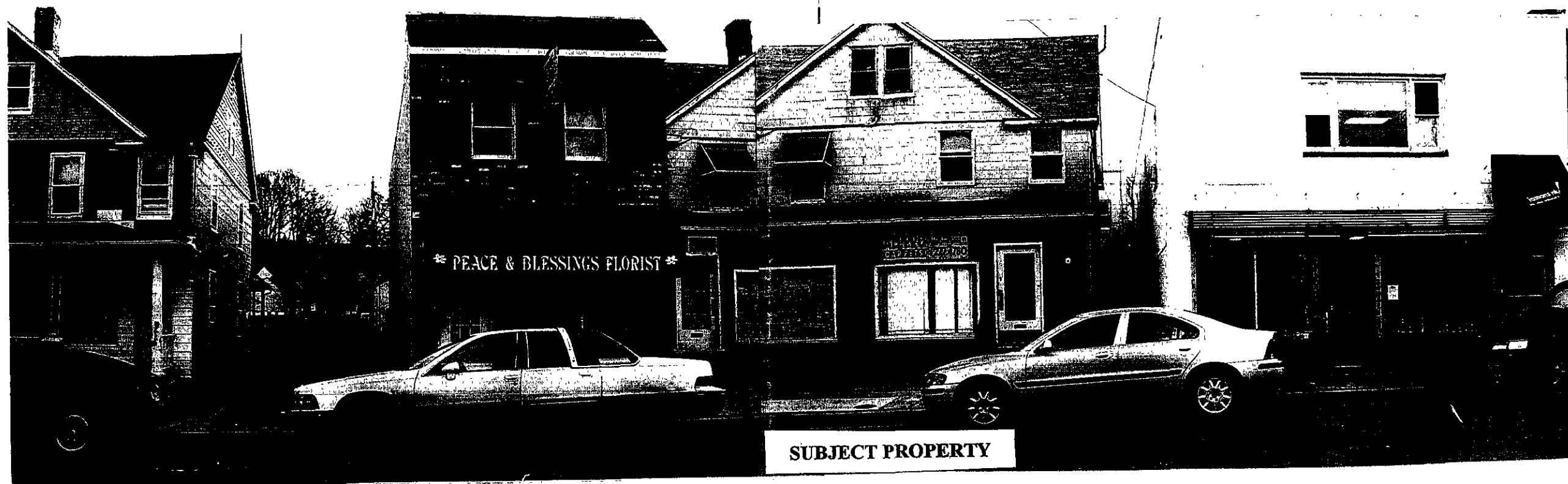
STREETSCAPE LOOKING SOUTHWEST FROM SUBJECT PROPERTY

**SITE PHOTOS
TO ACCOMPANY VARIANC
REQUEST FOR
2107-2109 GWYNN OAK AVENUE
1ST ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
Date of Photos: January 11, 2002**

Prepared by:
H. Malmud & Associates, Inc.
100 Church Lane
Baltimore, Maryland 21208
Telephone 410 653-9511

Ref 31

Ref 31



PANORAMIC VIEW FROM THE REAR OF THE SUBJECT PROPERTY LOOKING
SOUTHWEST

**SITE PHOTOS
TO ACCOMPANY VARIANCE
REQUEST FOR
2107-2109 GWYNN OAK AVENUE
1ST ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
Date of Photos: January 11, 2002**

Prepared by:
H. Malmud & Associates, Inc.
100 Church Lane
Baltimore, Maryland 21208
Telephone 410 653-9511

Pat 3B

Pat 3B

Ref No 1

DEED - FEE SIMPLE - INDIVIDUAL GRANTOR - LONG FORM

NO TITLE EXAMINATION REQUESTED OR PERFORMED

THIS DEED, made this 27th day of September, 1993, by and between JOSEPH W. SCHMITZ, JR. and WILLIAM J. MORRISSETT, III, parties of the first part, and JOSEPH W. SCHMITZ, JR., party of the second part.

WHEREAS, parties of the first part acquired the following improved properties for a partnership in which they were sole partners at the various times the properties were acquired and have continued to be partners until May 1, 1993 when by agreement dated May 1, 1993 they dissolved the partnership. As part of that dissolution, in kind for no additional consideration, all of the aforementioned properties were agreed to be conveyed to Joseph W. Schmitz, Jr., party of the second part herein.

WITNESSETH, for no consideration by distribution in kind on dissolution of a partnership, parties of the first part do grant and convey to the said party of the second part, his personal representatives, successors and assigns, in fee simple, the following:

PARCEL ONE:

BEGINNING FOR THE SAME, in the center of Gwynn Oak Avenue at the beginning of the whole parcel of land described in a deed from Carrie Kelgler, unmarried, to Edgar R. Wonderly and Catherine V. Wonderly, his wife, said deed being dated February 21, 1952 and recorded among the Land Records of Baltimore County in Liber GLB No. 2078, folio 461, and at the distance of 143 feet 1 inch south 43 degrees 30 minutes west from the beginning of the fifth or south 43 degrees 30 minutes west 321.43 foot line of that parcel of land which by deed dated October 8, 1919 and recorded among the Land Records of Baltimore County in Liber WPC No. 515, folio 573, was conveyed by Hanna E. Kriel, widow, to Michael V. Lee and wife, et al.; and running thence with part of the first line of the land in the first above mentioned deed and binding on the center of Gwynn Oak Avenue south 43 degrees 30 minutes west 20 feet; thence running for a line of division through said whole parcel of land in the aforesaid first mentioned deed south 45 degrees 28 minutes east 169 feet 5 inches to intersect the third line of the whole parcel of land in the hereinabove first mentioned deed and to the center of an alley 10 feet wide, with the use thereof in common with others entitled thereto; thence running with part of said third line to the end thereof and binding on the center of the aforesaid alley north 43 degrees 30 (heretofore erroneously referred to as 28) minutes east 20 feet; thence with the fourth or last line of said whole parcel north 45 degrees 28 minutes west through the center of the partition wall of the house erected on the lot now being described 169 feet 5 inches to the place of beginning; said lot of ground and the improvements thereon being known as No. 2107 Gwynn Oak Avenue.

BEING the same lot of ground which by Deed dated December 6, 1983 and recorded among the Land Records of Baltimore County in Liber EHK Jr. No. 6636, folio 693, was granted and conveyed by David Forsyth and Simonette C. Forsyth, his wife, unto the within grantors, partners.

PARCEL TWO:

BEGINNING FOR THE SAME at a point in the center of Gwynn Oak Avenue at the beginning point of the land described in the deed from Charles Sappe and wife to Henry W. Wurst and wife, dated June 6, 1940 and recorded among the Land Records of Baltimore County in Liber CWB Jr. No. 1107, folio 164; thence running and binding on the first line of the aforesaid deed to and through the partition wall between the two buildings known as No. 2107 and 2109 Gwynn Oak Avenue south 45 degrees 30 minutes east 169.4 feet to the center of a 10 foot alley there

BALTIMORE COUNTY REGISTER TAX 1

NOT RECORDED

SIGNED

DATE 9/27/93

RECEIVED FOR TRANSFER
BALTIMORE COUNTY
ASSessment & Taxation
for Baltimore County

BY

9/27/93

Pat Ex 1
ZC

situate; thence running along the center of said alley, with the use thereof in common, and binding on a part of the second line of the above mentioned deed north 43 degrees 30 minutes east 20.92 feet; thence running for lines of division north 46 degrees 10 (minutes, previously erroneously deleted) west 30.2 feet, south 43 degrees 30 minutes west 4.3 feet and north 45 degrees 30 minutes west parallel with the first line of the lot now being described to and along the northeasternmost side of the building known as 2109 Gwynn Oak Avenue 139.2 feet to the center of Gwynn Oak Avenue and to intersect the fourth line of the lot described in the deed mentioned above; thence running along the center of Gwynn Oak Avenue and binding on a part of said fourth line south 43 degrees 30 minutes west 16.25 feet to the point of beginning; said lot and the improvements thereon being known as No. 2109 Gwynn Oak Avenue.

BEING the same lot of ground which by Deed dated August 4, 1983 and recorded among the Land Records of Baltimore County in Liber EHK Jr. No. 6570, folio 762, was granted and conveyed by David Forsyth and Simonette C. Forsyth, his wife, unto the within grantors, partners.

PARCEL THREE

BEGINNING FOR THE SAME, in the centre of Gwynn Oak Avenue at the beginning of that parcel of land which by deed dated April 30, 1920 and recorded among the Land Records of Baltimore County in Liber WPC No. 525, folio 186 etc. was conveyed by Michael V. Lee et al to Raymond Wonderly and wife and running thence binding on the fourth line of the above mentioned land reversely passing through and binding on the centre of a partition wall of the dwelling erected on the lot now being described south 45 degrees 28 minutes east 169 feet 5 inches to the centre of an alley 10 feet wide for the use in common with others entitled thereto, thence running and binding on the centre of the aforesaid alley 10 feet wide north 43 degrees 28 minutes east 33 feet 11 inches, thence running for a line of division north 46 degrees west 169 feet 5 inches to the centre of Gwynn Oak Avenue, thence running and binding on the centre of Gwynn Oak Avenue south 43 degrees 30 minutes west 32 feet to the place of beginning.

BEING the same lot of ground which by Deed dated December 5, 1977, and recorded among the Land Records of Baltimore County in Liber EHK Jr. No. 5833, folio 635, was granted and conveyed by Patrick L. Stone unto the within grantors, partners.

PARCEL FOUR:

BEGINNING FOR THE SAME in the center of Gwynn Oak Avenue at the distance of 52 feet 6 inches South 43 degrees 30 minutes West from the beginning of the last or South 46 degrees 30 minutes West 321-43/100 foot line of that parcel of land which by deed dated October 8, 1919, and recorded among the Land Records of Baltimore County in Liber WPC No. 515, folio 573, etc., was conveyed by Hannah E. Kriel to Michael V. Lee, et al., thence running for a line of division South 46 degrees 30 minutes East 170 feet 9 inches to the center of an alley ten feet wide for the use in common with others entitled thereto, thence running and binding on the center of the aforesaid alley ten feet wide South 43 degrees 30 minutes West 26 feet 5 inches, thence running for a line of division passing through the center of the partition wall of the dwelling erected on the lot now being described, North 46 degrees 30 minutes West 170 feet 9 inches to the center of Gwynn Oak Avenue, thence running and binding on the center of Gwynn Oak Avenue North 43 degrees 30 minutes East 26 feet 5 inches to the place of beginning. The improvements thereon being now known as No. 2113 Gwynn Oak Avenue.

BEING the same lot of ground which by Deed dated November 30, 1983 and recorded among the Land Records of Baltimore County in Liber EHK Jr. No. 6633, folio 565, was granted and conveyed by Arthur C. Kroder and Alice G. Kroder, his wife, unto the within grantors, partners.

TOGETHER with the buildings thereupon and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in any way appertaining.

TO HAVE AND TO HOLD the said described lots of ground and premises to the said party of the second part, his personal representatives, successors and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant generally the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors.

Eva M. S. Schmitz
WITNESS

Joseph W. Schmitz, Jr.
JOSEPH W. SCHMITZ, JR.

Eva M. S. Schmitz
WITNESS

William J. Morrisett, III
WILLIAM J. MORRISSETT, III

STATE OF MARYLAND, ~~WITT~~/COUNTY OF Pittmore; to wit:

I HEREBY CERTIFY, that on this 27th day of Sept., 1993, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared JOSEPH W. SCHMITZ, JR., satisfactorily proven to me to be the person whose name is subscribed to the within instrument, and who acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Eva M. S. Schmitz
NOTARY PUBLIC
Commission Expires 7-1-96

STATE OF MARYLAND, COUNTY OF Pittmore; to wit:

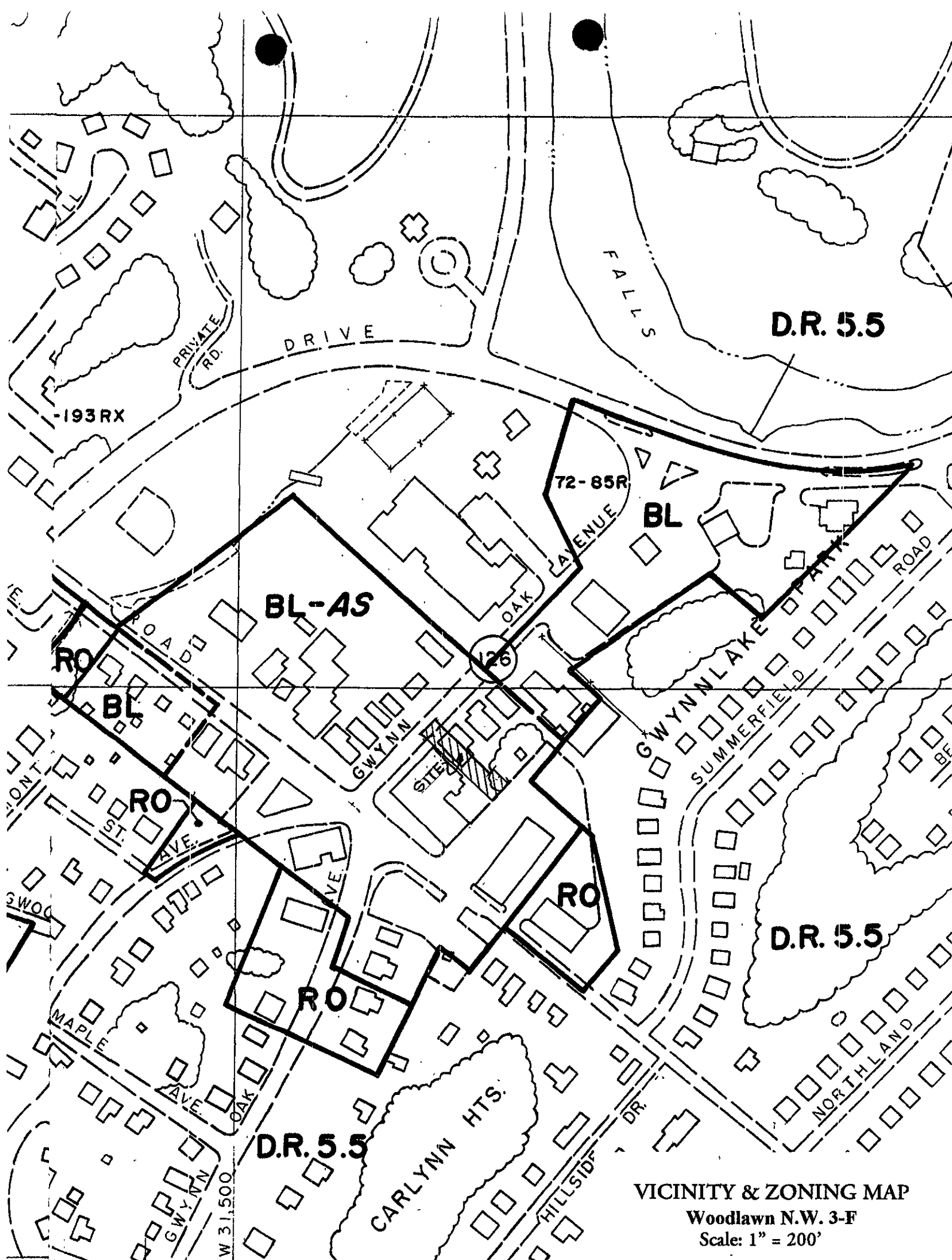
I HEREBY CERTIFY that, on this 27th day of Sept., 1993, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared WILLIAM J. MORRISSETT, III, satisfactorily proven to me to be the person whose name is subscribed to the within instrument, and who acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Eva M. S. Schmitz
NOTARY PUBLIC
Commission Expires 7-1-96

I HEREBY CERTIFY that the foregoing Deed was prepared by the undersigned, an attorney-at-law licensed to practice in the State of Maryland.

Michael P. Tanczyn
MICHAEL P. TANCZYN, ESQ.



VICINITY & ZONING MAP
Woodlawn N.W. 3-F
Scale: 1" = 200'

SCALE

1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

WOODLAWN

IN SE
PHOTO
TIMON

Pat 246
2C

JCM

Intake Planner

2/14/02

Date Assigned

DROP-OFF PETITIONS PROCESSING CHECK-OFF

☐**Two Questions Answered on Cover Sheet:**

Any previous reviews in the zoning office?
Any current building or zoning violations on site?

☐**Petition Form Matches Plat in these areas:**

Address
Zoning
Legal Owner(s)
Contract Purchaser(s)
Request (if listed on plat)

☐**Petition Form (must be current PDM form) is Complete:**

Request:

Section Numbers

Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.

Hardship/Practical Difficulty Reasons

Legal Owner/Contract Purchaser:

Signatures (originals)

Printed/Typed Name and Title (if company)

Attorney (if incorporated)

Signature/Address/Telephone Number of Attorney

☐**Correct Number of Petition Forms, Descriptions and Plats**☐**200 Scale Zoning Map**☐**Check: Amount Correct? Signed?**☐**ZAC Plat Information:**

✓ Location (by Carl) SE/S Guyan Oak Ave. approx.
150 ft. NE Windsor Hill Rd.

Zoning: _____

Acreage: _____

Previous Hearing Listed With Decision

Election District _____

Councilmanic District _____

Case # _____

Check to See if the Subject Site or Request is:

CBCA

Floodplain

Elderly

Historical

Pawn Shop

Helicopter

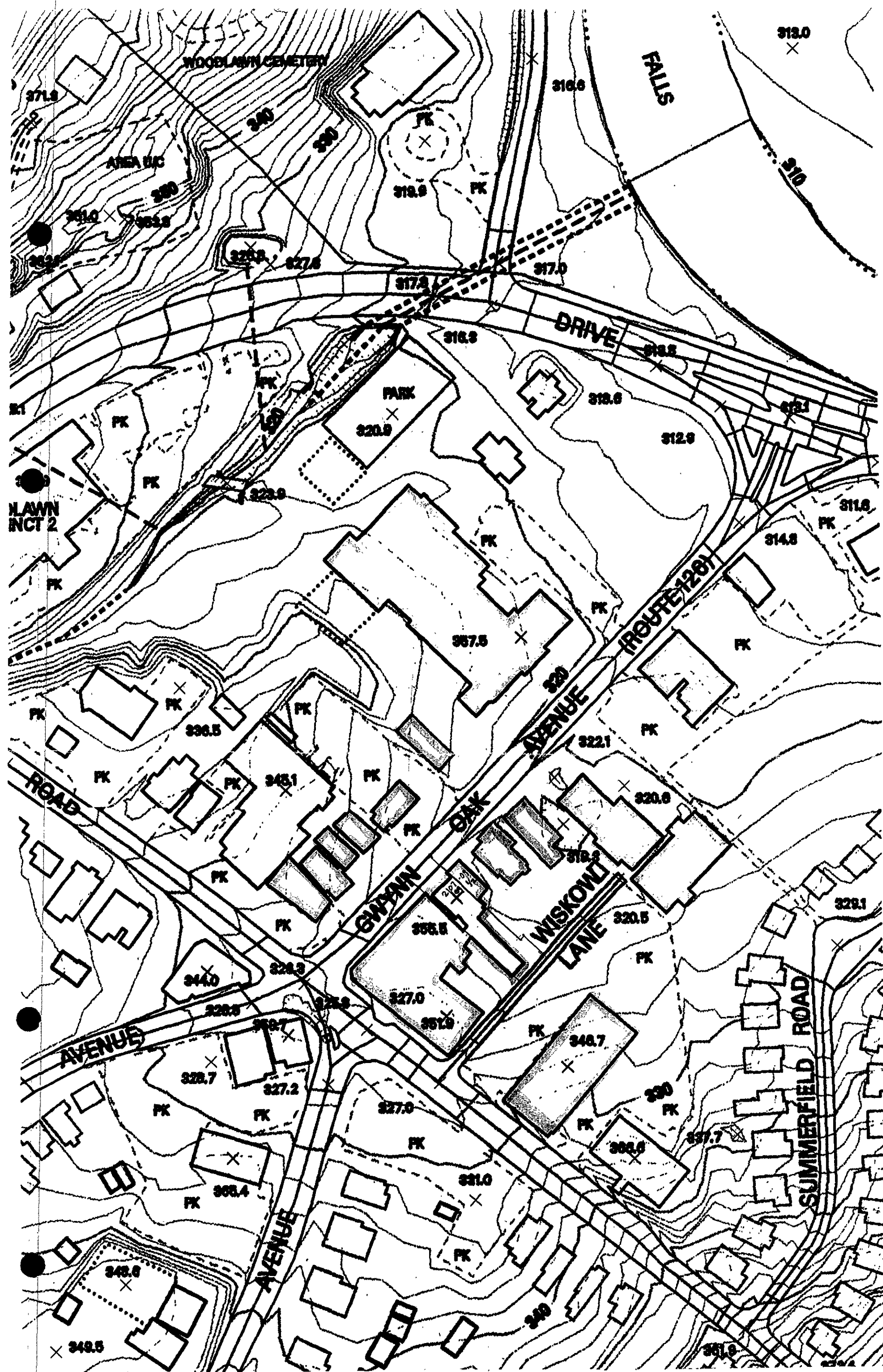
*If Yes, Print Special Handling Category Here

*If No, Print No

354

Item Number Assigned

Date Accepted for Filing



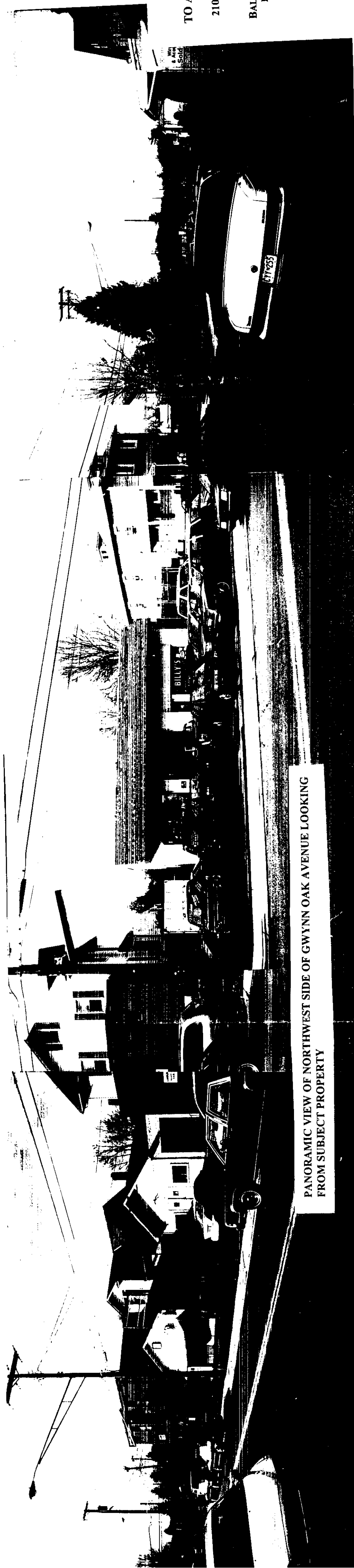
GIS MAP
SHOWING SITE FOR
VARIANCE REQUEST
1"=100'

SUBJECT SITE:
ZONED BL-A6:
ZONED BL:
ZONED D.R.5.5:

Pat 3/5
2C



PANORAMIC VIEW FROM THE REAR OF THE SUBJECT PROPERTY LOOKING
NORTHEAST

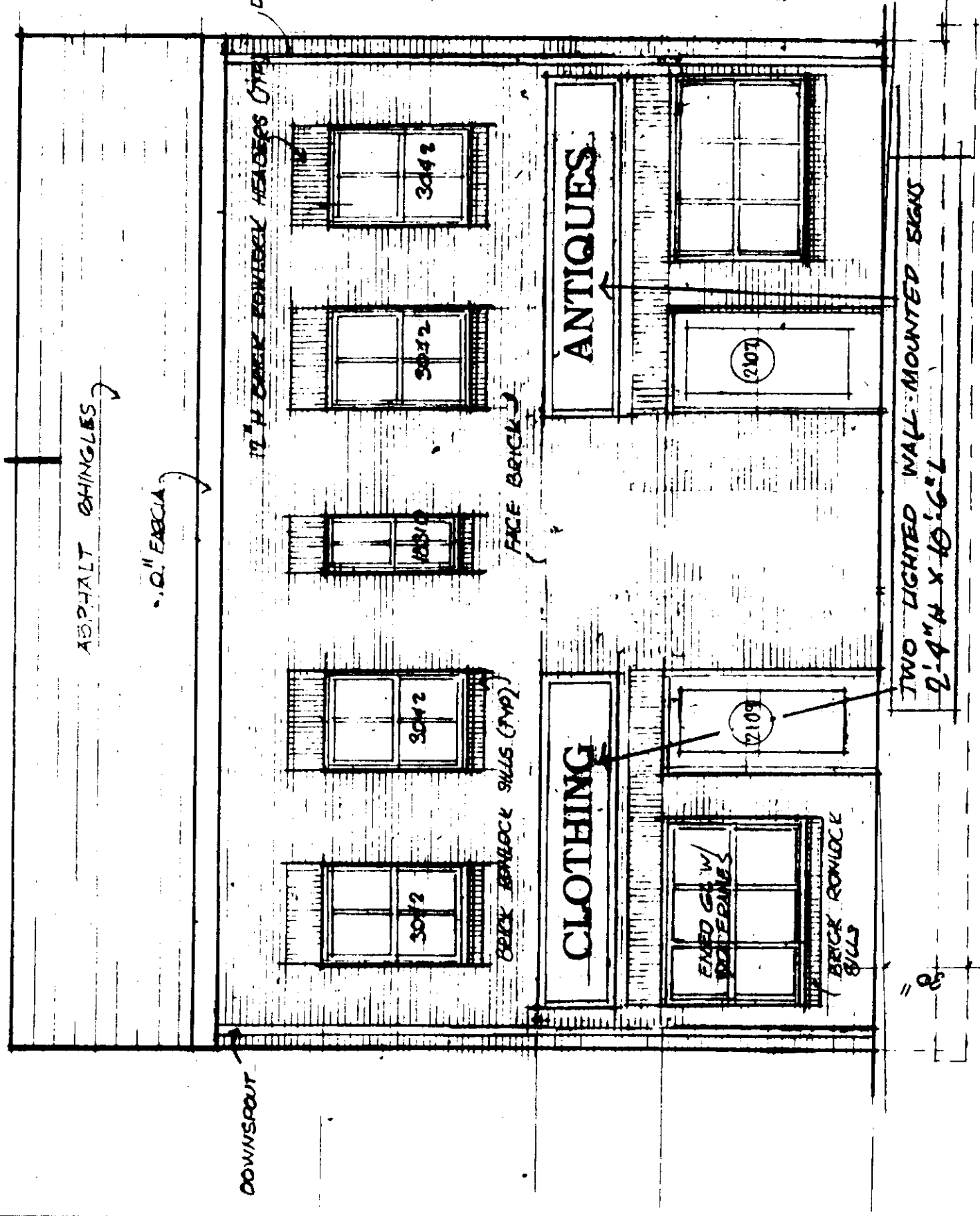


PANORAMIC VIEW OF NORTHWEST SIDE OF GWYNN OAK AVENUE LOOKING
FROM SUBJECT PROPERTY

627-2333

**SITE PHOTOS
TO ACCOMPANY VARIANCE
REQUEST FOR**
2107-2109 GWYNN OAK AVENUE
1ST ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
Date of Photos: January 11, 2002

Prepared by:
H. Malmud & Associates, Inc.
100 Church Lane
Baltimore, Maryland 21208
Telephone 410 653-9511



NOTES

1. OWNER/PETITIONER: J. M. MORGENTHAU, JR., 214 LINGANORE, BALTIMORE, MD 21158-9453. TELEPHONE: 410-298-4143.
2. DEED REFERENCE: LIBER 10043, FOLIO 452, ACCT NUMBERS: 0119071331 - 2107 Gwynn Oak Ave & 0119071330 - 2109 Gwynn Oak Ave.
3. TAX MAP 88, GRID 20, PARCEL 308.
4. EXISTING ZONING: BL-AS.
5. PUBLIC WATER AND SEWER SERVES THIS SITE.
6. EXISTING USE: COMMERCIAL.
7. PROPOSED USE: SAME.
8. ZONING HISTORY: NONE.
9. AREA OF PROPERTY: 0.144 OF AN ACRE +/-.

VARIANCE REQUESTS: 1) FROM BCZR SECTION 332.1 TO PROVIDE ZERO FEET IN LIEU OF THE REQUIRED 10 FEET FROM THE PROPERTY LINE AND 26.0 FEET IN LIEU OF THE REQUIRED 40 FEET FROM THE FRONT PROPERTY LINE TO THE CENTER OF THE STREET MODIFIED BY BCZR SECTION 303.2 FOR A BL ZONE.

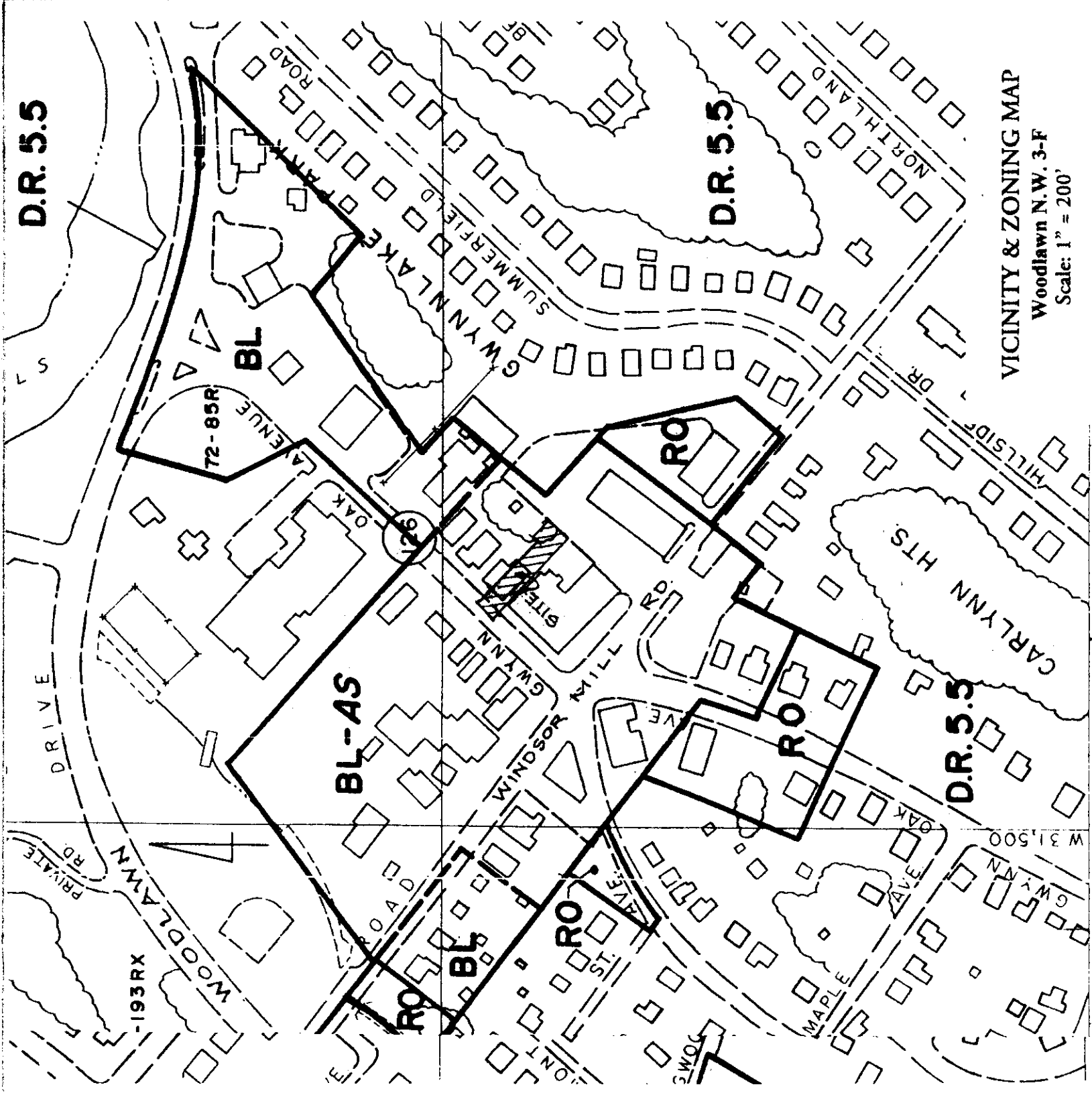
2) FROM SECTION 409.6 TO PROVIDE ZERO PARKING SPACES IN LIEU OF THE REQUIRED 34 SPACES FOR THE PROPOSED USES OF A BEAUTY/HAIR SHOP AND/OR OFF-SITE CARPET CLEANING, MAINTENANCE COMPANY AND RETAIL SALES.

3) FROM BCZR 450.4 (5A,C) TO PROVIDE EITHER WALL-MOUNTED PROJECTING CANOPY SIGNS OR AWNINGS FOR A COMBINED TOTAL OF 500 SQUARE FEET IN LIEU OF THE REQUIRED MAXIMUM 150 SQUARE FEET.

PARKING DATA:
BUILDING AREA: 2107-09 Gwynn Oak Ave. 6766 SQUARE FEET ± 1000 ± 677 X 5 ± 34
PARKING SPACES REQUIRED: 34. PARKING SPACES PROVIDED: 0

THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.

THE PROPERTY LINES SHOWN HEREON ARE FROM AVAILABLE DEEDS AND FIELD MEASUREMENTS AND NOT A BOUNDARY SURVEY. A TITLE SEARCH WAS NOT FURNISHED FOR THIS ZONING VARIANCE.



VICINITY & ZONING MAP
Woodlawn N.W. 3-F
Scale 1" = 200'

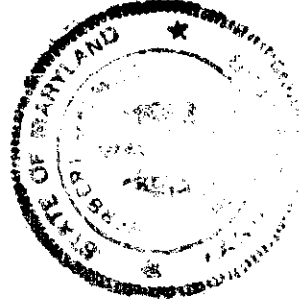
ZONED E-1

354
Feb 16/04

PLAT TO ACCOMPANY A
PETITION FOR A ZONING
VARIANCE REQUEST
2107-2109 GWYNN OAK AVENUE
1ST ELECTION DISTRICT
COUNCILMANIC DISTRICT NO. 2
BALTIMORE COUNTY, MARYLAND

Scale 1" = 20'
February 3, 2004
Revised February 26, 2004
As per ZONING COMMENTS

Prepared by:
H. Maimud & Associates, Inc.
100 Church Lane
Baltimore, Maryland 21208
Telephone: 410-632-9511



ZONED BY E-1
W.A. MORGENTHAU, JR.
LIBER 4925/369
ACCT. NO. 0113751303

NEW REHOBOTH BAPTIST CHURCH
LIBER 10627/124
ACCT NO. 0113751350

NIACADAM PARKING

ZONED

BL-AS

ZONED BL-AS
GWYNN OAK AVENUE